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Attorneys for the United States

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

United States of America,

Plaintiff,

vs.

James B. Panther, Jr.,
a/k/a “James Suqui” and “James Suquilanda,”

Defendant.

Case No. 2:19-CR-448-2

**UNITED STATES’ NOTICE OF INTENT
TO USE ADMISSIONS AND
STATEMENTS PURSUANT TO LR
CRIM 16.1**

Under Local Rule of Criminal Procedure 16.1, the government hereby provides notice of its intent to admit “written or oral confessions, admissions, or statements of the Defendant.” Specifically, the government intends to present evidence of the following statements at trial:

- (1) The defendant’s sworn statements during a deposition before the Securities and Exchange Commission (“SEC”) in November 2017;
- (2) Emails that the defendant sent throughout the scheme to his coconspirators, including co-defendant Francisco Villena Abellan, Guillermo Ciupiak, and Walter Demuth; and

1 (3) Statements that the defendant made and emails that the defendant sent to witnesses,
2 including coconspirators, employees of brokerage firms such as Scottsdale Capital and
3 BMA Securities, and the executives of Biozoom, Inc.

4 Dated: April 24, 2020

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6 Respectfully submitted,

7 ROBERT ZINK
8 Chief, Fraud Section

9 By: /s/ Michelle Pascucci
10 Tracee Plowell, Senior Litigation Counsel
11 Michelle Pascucci, Trial Attorney
12 Fraud Section, Criminal Division
13 U.S. Department of Justice
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on April 24, 2020, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will send notification to counsel of record.

Respectfully submitted,

BY: /s/ Michelle Pascucci